

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI

In re	)	
	)	Case No. 10-41902
US FIDELIS, INC.,	)	Chapter 11
	)	
Debtor.	)	

**DECLARATION OF MARY C. LOBDELL IN SUPPORT OF JOINDER IN MOTION  
TO APPOINT TRUSTEE**

I, Mary C. Lobdell, declare as follows:

1. I am an Assistant Attorney General in the Consumer Protection Division in the Office of the Washington State Attorney General.

2. I was one of the lead attorneys in the multi-state investigation of U.S. Fidelis, and as such, I am familiar with and have knowledge of the files and records related to the investigation that were kept in the ordinary course of business by the Office of the Washington Attorney General.

3. The investigation of U.S. Fidelis, formerly known as National Auto Warranty Services, was initiated in March of 2008 with an informal civil investigative demand that I sent to Darian Atkinson on behalf of 18 states ("the States"), requesting responses and documents.

4. In response to the informal civil investigative demand, U.S. Fidelis provided the States nearly 4,000 pages of consumer complaints for the period January 2005 through March of 2008.

5. U.S. Fidelis also provided the States copies of all mailers that it sent to consumers along with all U.S. Postal Service Postage Statements, which provide the number of pieces of mail submitted to the Post Office for mailing. The Postage Statements indicate that U.S. Fidelis

mailed approximately 63.8 million mailers to consumers.

6. Attached as Exhibit A are true and correct copies of a sample of consumer refund complaints produced by U.S. Fidelis in its response to the States' civil investigative demand. I redacted information identifying the consumer.

7. Attached as Exhibit B is a true and correct copy of a vehicle service contract provided by U.S. Fidelis in its response to the States' civil investigative demand.

8. Attached as Exhibit C are true and correct copies of additional consumer complaints related to refunds that were provided by U.S. Fidelis in its response to the States' civil investigative demand. I redacted information identifying the consumers.

9. Attached as Exhibit D are true and correct copies of sample mailers sent to consumers by U.S. Fidelis and provided by U.S. Fidelis in its response to the States' civil investigative demand. I redacted information identifying the consumer.

10. Attached as Exhibit E are true and correct copies of the following complaints without the attached exhibits:

a. *BMW of North America, LLC and Bayerische Motoren Werke AG v. US Fidelis, Inc., dba. "Dealer Services" and "National Auto Warranty Services,"* Case 2:09-03607 (Dist. N.J. July 22, 2009);

b. *Fuji Heavy Industries, Ltd et al. v. National Auto Warranty Services, Inc.,* Case No. 2:09-cv-00070 (Dist. N.J. January 7, 2009);

c. *Cellco Partnership dba Verizon Wireless v. Explicit Media, Inc., dba "Voice Solutions," National Auto Warranty Services, Inc.,* Case: 3:08-cv-03581 (Dist. N.J. 2008).

11. Attached as Exhibit F is a true and correct copy of the Declaration of Roberto C.

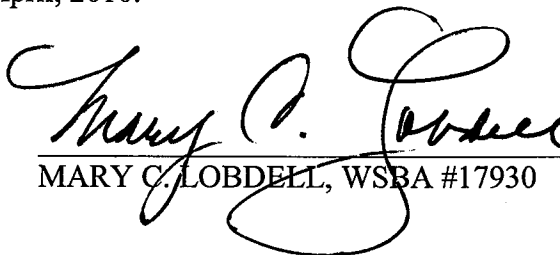
Menjivar Pursuant to 28 U.S.C. § 1746 that was filed in the litigation *Federal Trade Commission v. Voice Touch, et al.*, Docket No. 09-cv-2929 (N. Dist. Ill. 2009).

12. Attached as Exhibit G is a true and correct copy of a sample consumer complaint related to the marketing of vehicle protection products along with a copy of the Carmor contract that was provided by U.S. Fidelis in its response to the States' civil investigative demand. I redacted information identifying the consumer.

13. Attached as Exhibit H are true and correct copies of sample consumer complaints regarding telemarketing misrepresentations that were provided by U.S. Fidelis in its response to the States' civil investigative demand. I redacted information identifying the consumers.

I swear under the penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

DATED this 14<sup>th</sup> day of April, 2010.

  
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MARY C. LOBDELL, WSBA #17930